

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

---

JOSEPH TOMAS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 20-235-WES
	)	
SAGE M. BUCKLEY,	)	
et al,	)	
	)	
Defendants.	)	

---

**ORDER**

On August 27, 2020, Magistrate Judge Lincoln D. Almond issued a Report and Recommendation ("R.&R."), ECF No. 53, which recommended that the Court grant Defendant Progressive Casualty Insurance Company's ("Progressive") Motion to Dismiss, ECF No. 52. Specifically, Judge Almond determined that the Plaintiff lacks standing to pursue claims against Progressive due to those claims being barred by statute and common law. R.&R. 3-4 (citing R.I. Gen. Laws § 27-7-6; Richmond Motor Sales, Inc. v. Nationwide Mut. Ins. Co., No. PC-13-3954, 14-3632, 14-3636, 2015 WL 9234198, \*5 (R.I. Super. Ct. Dec. 11, 2015)). After having carefully reviewed the relevant papers, and having heard no objections, the Court ACCEPTS the R.&R. and ADOPTS the recommendations and reasoning set forth therein.

Accordingly, Progressive's Motion to Dismiss and its Motion for Entry by the Court of the Magistrate's August 27, 2020 Report and Recommendation, ECF No. 54, are GRANTED. Plaintiff's Amended Complaint, ECF No. 25, as to its claims against Progressive, is DISMISSED without prejudice.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "WESMITH".

---

William E. Smith  
District Judge  
Date: November 3, 2020